



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Jim Green, Project Manager

Public Notice Date: September 13, 2005
Expiration Date: October 13, 2005
Reference: 199800519
Name: Burlington Northern Santa Fe
Railway Company

Interested parties are hereby notified that a revised application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings. The work was previously described in Public Notice No. 199800519, dated 18 November 1998.

The revisions consist of shifting the east half of the proposed siding to the north side of the existing track (between the rail line and the highway and parking area of Doug's Beach park) resulting in all of the siding expansion occurring in areas that have been historically altered or filled or covered by rock and asphalt. The design changes have eliminated the need to fill riparian wetlands. Jurisdictional fills along the shoreline have been adjusted and low profile walls will be utilized where necessary allowing for an increased level of restoration of the shoreline riparian edge. The fill quantities have been recalculated to more accurately reflect the inwater work.

APPLICANT: Burlington Northern Santa Fe Railway Company
2454 Occidental Avenue South, Suite 1-A
Seattle, Washington 98134-1451
ATTN: Mr. Bruce Polnicky, Mgr. Engineering
Telephone: (206) 625-6150

AGENT: InterMountain Resources
Post Office Box 1724
Sandpoint, Idaho 83864
ATTN: Mr. Pierre Bordenave
Telephone: (208) 263-9391

LOCATION: In the Columbia River near Lyle, Klickitat County, Washington (Sections 1, 2, and 12, Township 2 North, Range 12 East and Section 7, Township 2 North, Range 13 East).

WORK: Place 15,600 cubic yards of structural fill (rock riprap stabilizing material) into the Columbia River along 2,900 linear feet of shoreline (1.57 acres).

PURPOSE: The purpose of the fill material is to construct a railway siding to allow for the safe pull-out and passing of interstate rail traffic.

MITIGATION: A mitigation plan has been developed to compensate for the 1.57 acres of unavoidable riparian edge fill. The mitigation will consist of restoring and/or creating a vegetated shoreline feature similar to the historic riparian edge. The shoreline edge will be replanted and seeded for slope stabilization and railroad prism structure protection, while at the same time restoring this riparian section of the Columbia River with native plant species. The proposed restoration/revegetation will occur along the entire length of the west half of the project, both the 2,900 linear feet of benched fill and the 3,400 feet of non-benched edge that requires no jurisdictional fill. The upland slopes above the planted riparian edge will be seeded with aggressive dry-land native grasses and forbs.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Snake River sockeye salmon (*Oncorhynchus nerka*), endangered; Snake River spring/summer/fall Chinook; Upper, Middle, and Lower Columbia River Chinook salmon, UCR spring Chinook (*Oncorhynchus tshawytscha*), threatened; Upper and Middle Columbia River steelhead and Snake River steelhead (*Oncorhynchus mykiss*), threatened; Columbia River bulltrout (*Salvelinus confluentus*), threatened; and the Bald eagle (*Haliaeetus leucocephalus*), threatened in the state of Washington, occur in the proposed project area. For the initial proposal subject of Seattle District Public Notice No. 199800519 dated 18 November 1998, the U.S. Army Corps of Engineers (Corps) determined that the project may effect, but is not likely to adversely effect, the above species. The USFWS (Ref. No. 1-9-99-I-290) and NMFS concurred with the Corp's initial determinations.

Since the initial consultation, the Lower Columbia River coho (*Oncorhynchus kisutch*), has been listed as threatened by the NMFS. In addition, the USFWS has designated critical habitat for Columbia River bull trout and the NMFS has designated critical habitat for 12 evolutionary significant units (ESUs) of Pacific salmon and steelhead in the Columbia River and for Snake River sockeye, spring/summer Chinook, and fall Chinook. Because the project has been modified to an extent not previously considered, the Corps will reinitiate consultation under ESA with the USFWS and NMFS for the species/habitat listed above.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 1.57 acres of EFH for Chinook and coho salmon in the project area.

If the U.S. Army Corps of Engineers (Corps) determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. Cultural resource surveys have been conducted within the permit area. The permit area contains cultural resource sites which have been found eligible for inclusion in the NRHP, and the area is likely to yield additional resources eligible for inclusion in the NRHP. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a](3)), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

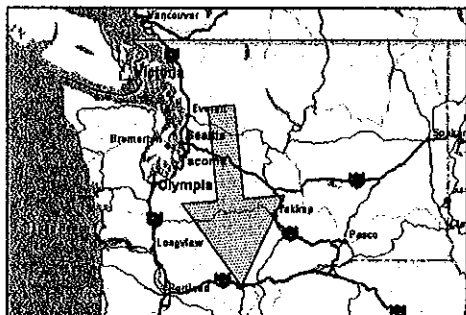
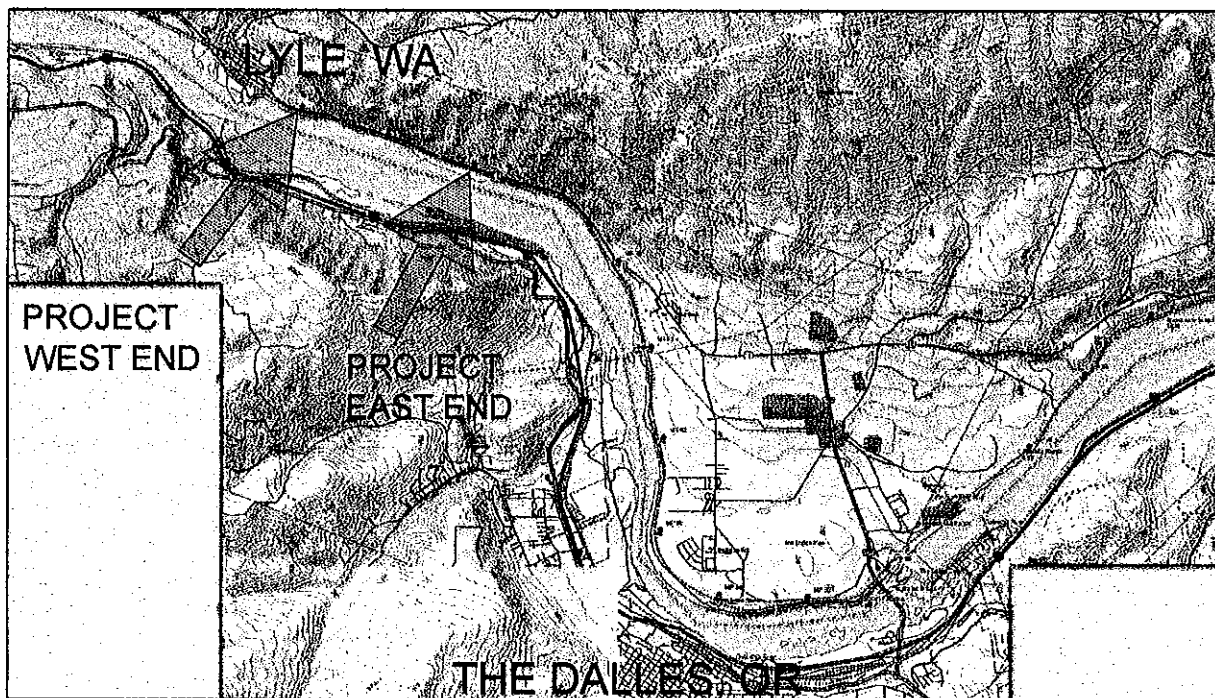
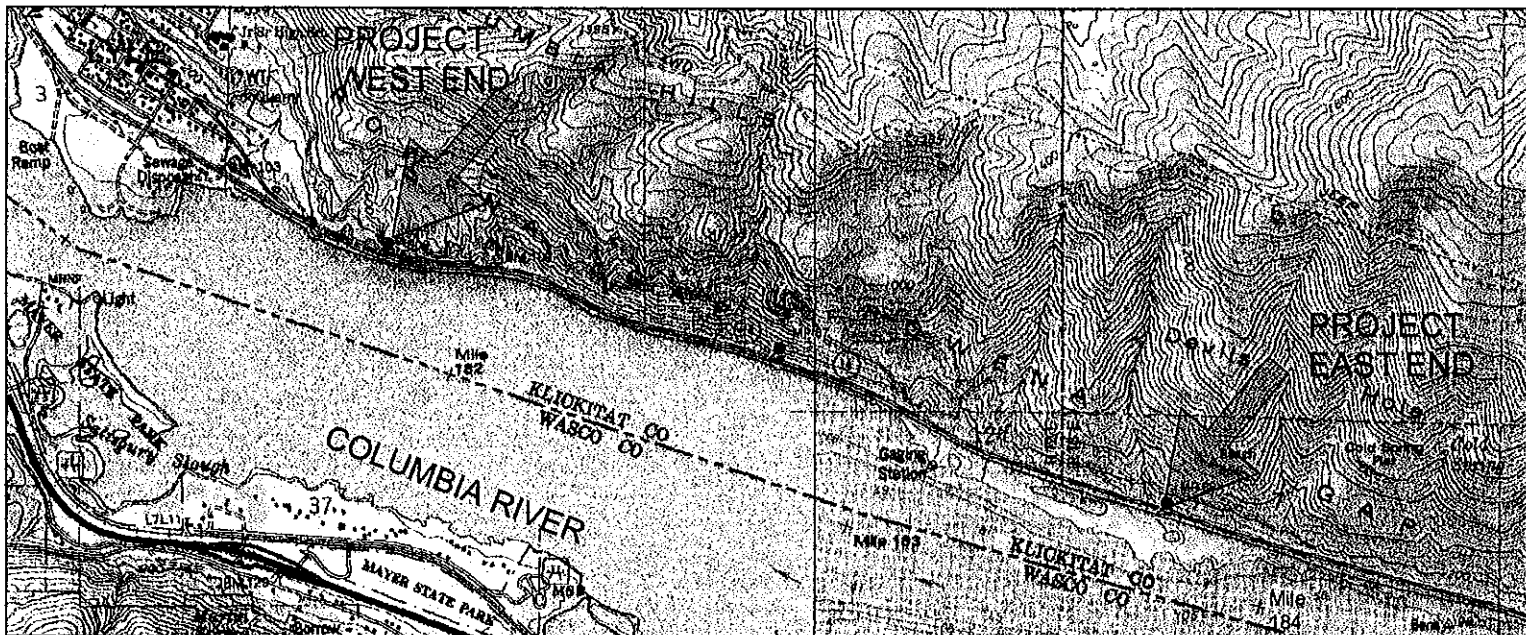
The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to James.D.Green@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentator's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Burlington Northern Santa Fe Railway Company, 199800519

Encl
Drawings (9 sheets)



BASE MAPS: USGS
QUADS: "LYLE, WA"
& "THE DALLES
NORTH, OR/WA"
AND DELORME
STREET ATLAS



NOT TO SCALE

VICINITY MAP

USACE REF. NO.: 98-2-00519

PROJECT: LYLE (WA) SIDING IMPROVEMENTS

APPLICANT: BNSF RAILWAY CO.

WATERWAY: COLUMBIA RIVER

LEGAL: IN PORTIONS OF SEC 1, SEC 2, SEC 12, T 2 N, R 12 E, &
SEC 7, T 2 N, R 13 E, WILLAMETTE MERIDIAN.

COUNTY: KLIKITAT STATE: WASHINGTON

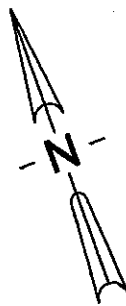
LAT/LONG: APPROX. N45° 41' ; W 121° 14'

DATE: AUGUST 2005

SHEET 1 of 9

TO PORTLAND
MP 85

TO PASCO
MP 87



MP86
STA. 16+82.30

PROJECT WEST END
MP 86.14 / ST. 24+33

NON-BENCH RIPARIAN
RESTORATION TYP. PROFILE

see sheet 9
for detail

RETAINING WALL
30' FROM C PROP ML

28+31

SR14

R/W LINE

EXISTING MAINLINE

OHw ELEV: 82.0

BEGIN SIGNAL AND TURNOUT
CONSTRUCTION BERM
30' LT STA. 27+00.00

COLUMBIA RIVER

BEGIN NON-BENCH
RIPARIAN RESTORATION;
STATION 24+33 TO 59+80
(REFER TO PLAN DETAIL-
SHEET 9)

1" = 200'



BASE MAP FROM HDR, INC. LYLE SIDING TRACK PLANS 2005

EXISTING CONDITIONS & PROPOSED WORK MITIGATION/RIPARIAN RESTORATION PLAN

USACE REF. NO.: 98-2-00519

PROJECT: LYLE (WA) SIDING IMPROVEMENTS

APPLICANT: BNSF RAILWAY CO.

WATERWAY: COLUMBIA RIVER

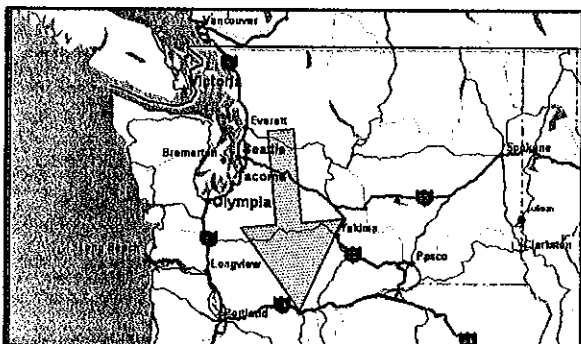
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SEC 7, T 2 N, R 13 E, WILLAMETTE MERIDIAN.

COUNTY: KLIKITAT STATE: WASHINGTON

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DATE: AUGUST 2005

SHEET 2 of 9



TO PORTLAND
MP 86

TO PASCO
MP 88

see sheet 9 for detail

RIPARIAN RESTORATION
BENCH TYP. PROFILE

JURISDICTIONAL
FILL FOR CURRENT
APPLICATION

EXISTING LINE

PROPOSED SIDING

68+00

MP87
STA. 69+62.60

WP (6 WIRES
WEST / EAST)

120'

SR14

WP W/ HOG
WIRE FENCE

MP 87

SR 14 ASPHALT

WP (TYP.)

CUT

100'

FILL

OHW

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

90'

R/W LINE

OHW ELEV: 82.0

R/W LINE

END NON-BENCH
RIPARIAN RESTORATION;
STATION 24+33 TO 59+80
(REFER TO PLAN DETAIL-
SHEET 9)

BEGIN RIPARIAN
RESTORATION BENCH
AND IN-WATER FILL;
STATION 59+80 TO 88+60
(REFER TO PLAN DETAIL-
SHEET 9)

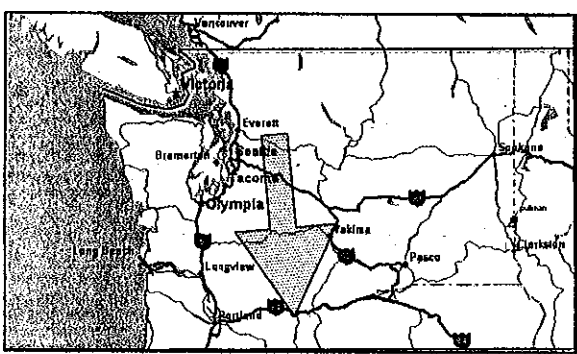
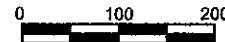
JURISDICTIONAL FILL

	LINEAR FILL AREA	FILL AREA	FILL AREA VOLUME
FILL FROM: 59+80 TO 88+60	2,900 ft	1.57 AC edge fill	15,600 cu yd

BASE MAP FROM HDR, INC. LYLE SIDING TRACK PLANS 2005



1" = 200'

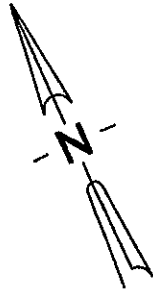


EXISTING CONDITIONS & PROPOSED WORK MITIGATION/RIPARIAN RESTORATION PLAN

USACE REF. NO.: 98-2-00519
PROJECT: LYLE (WA) SIDING IMPROVEMENTS
APPLICANT: BNSF RAILWAY CO.
WATERWAY: COLUMBIA RIVER
LEGAL: IN PORTIONS OF SEC 1, SEC 2, SEC 12, T 2 N, R 12 E, &
SEC 7, T 2 N, R 13 E, WILLAMETTE MERIDIAN.
COUNTY: KLIKITAT STATE: WASHINGTON
LAT/LONG: APPROX. N45° 41' ; W 121° 14'
DATE: AUGUST 2005
SHEET 3 of 9

TO PORTLAND
MP 87

TO PASCO
MP 88



JARPA COMPARISON
PROFILE

PROPOSED SIDING

EXISTING MAINLINE

15' TRACK
CENTERS

WP W/ HOG
WIRE FENCE

WP (TYP)

SR 14 ASPHALT

81+00

R/W LINE

OHw ELEV: 82.0

FILL IDENTIFIED
IN ORIGINAL 1998
JARPA

JURISDICTIONAL
FILL FOR CURRENT
APPLICATION

*deleted
from project*

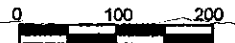
COLUMBIA RIVER

JURISDICTIONAL FILL

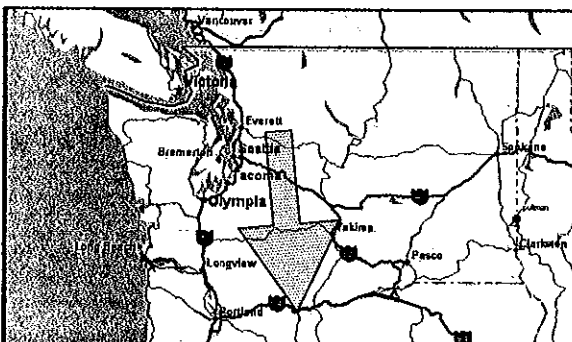
	LINEAR FILL AREA	FILL AREA	FILL AREA VOLUME
FILL FROM: 59+80 TO 88+60	2,900 ft	1.57 AC edge fill	15,600 cu yd

50'

1" = 200'



BASE MAP FROM HDR, INC. LYLE SIDING TRACK PLANS 2005



EXISTING CONDITIONS & PROPOSED WORK MITIGATION/RIPARIAN RESTORATION PLAN

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PROJECT: LYLE (WA) SIDING IMPROVEMENTS

APPLICANT: BNSF RAILWAY CO.

WATERWAY: COLUMBIA RIVER

LEGAL: IN PORTIONS OF SEC 1, SEC 2, SEC 12, T 2 N, R 12 E, &
SEC 7, T 2 N, R 13 E, WILLAMETTE MERIDIAN.

COUNTY: KLIKITAT STATE: WASHINGTON

LAT/LONG: APPROX. N45° 41' ; W 121° 14'

DATE: AUGUST 2005

SHEET 4 of 9

TO PORTLAND
MP 87

TO PASCO
MP 88

FILL IDENTIFIED
IN ORIGINAL 1998
JARPA

JURISDICTIONAL
FILL FOR CURRENT
APPLICATION

END RIPARIAN
RESTORATION BENCH
AND IN-WATER FILL;
STATION 59+80 TO
88+60 (REFER TO PLAN
DETAIL SHEET 9)

JURISDICTIONAL BOUNDARY

JURISDICTIONAL FILL

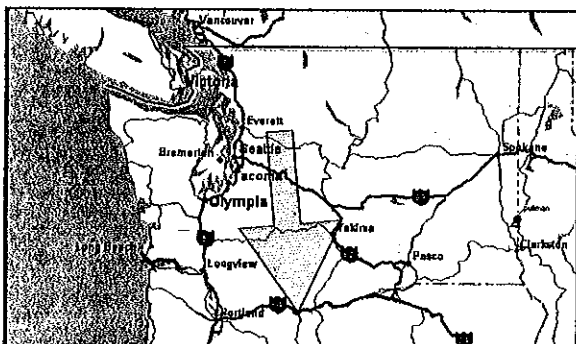
	LINEAR FILL AREA	FILL AREA	FILL AREA VOLUME
FILL FROM: 59+80 TO 88+60	2,900 ft	1.57 AC edge fill	15,600 cu yd

COLUMBIA RIVER

1" = 200'



BASE MAP FROM HDR, INC. LYLE SIDING TRACK PLANS 2005



EXISTING CONDITIONS & PROPOSED WORK MITIGATION/RIPARIAN RESTORATION PLAN

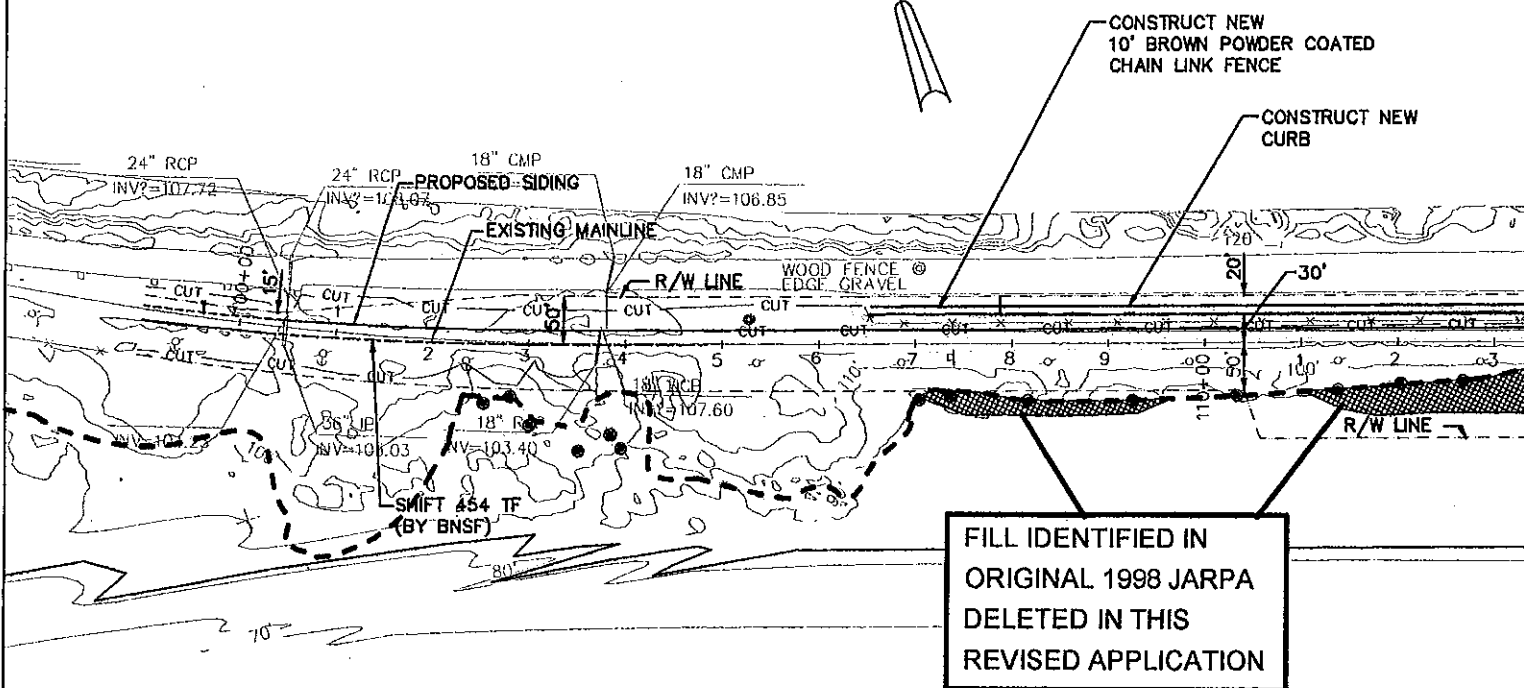
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WATERWAY: COLUMBIA RIVER
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COUNTY: KLIKITAT STATE: WASHINGTON
LAT/LONG: APPROX. N45° 41' ; W 121° 14'
DATE: AUGUST 2005
SHEET 5 of 9

TO PORTLAND

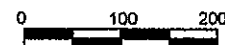
MP 85

TO PASCO

MP 87



1" = 200'



BASE MAP FROM HDR, INC. LYLE SIDING TRACK PLANS 2005

EXISTING CONDITIONS & PROPOSED WORK MITIGATION/RIPARIAN RESTORATION PLAN

USACE REF. NO.: 98-2-00519

PROJECT: LYLE (WA) SIDING IMPROVEMENTS

APPLICANT: BNSF RAILWAY CO.

WATERWAY: COLUMBIA RIVER

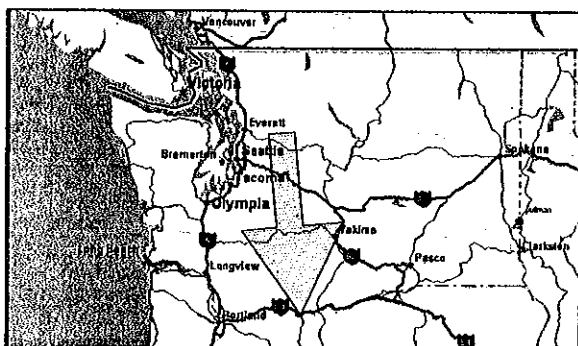
LEGAL: IN PORTIONS OF SEC 1, SEC 2, SEC 12, T 2 N, R 12 E, &
SEC 7, T 2 N, R 13 E, WILLAMETTE MERIDIAN.

COUNTY: KLIKITAT STATE: WASHINGTON

LAT/LONG: APPROX. N45° 41' ; W 121° 14'

DATE: AUGUST 2005

SHEET 6 of 9



TO PORTLAND

MP 85

TO PASCO

MP 87



MP88

STA. 122+54.80

36" CONC
W/ GRATE
INV=100.58

WSDOT EASEMENT

R/W LINE

PROPOSED SIDING

SR 14 ASPHALT

GRAVEL

SR 14 ASPHALT

GRAVEL

CURB

EXIST ML

CONSTRUCT SIGNAL AND
TURNOUT CONSTRUCTION BERM

PROJECT EAST END

MP 87.92 / ST. 121+00

EXISTING AT-GRADE DOUG'S
BEACH CROSSING WITH SIGNALS
AND GATES

FILL IDENTIFIED IN
ORIGINAL 1998 JARPA
DELETED IN THIS
REVISED APPLICATION

1" = 200'

JURISDICTIONAL BOUNDARY



BASE MAP FROM HDR, INC. LYLE SIDING TRACK PLANS 2005

EXISTING CONDITIONS & PROPOSED WORK MITIGATION/RIPARIAN RESTORATION PLAN

USACE REF. NO.: 98-2-00519

PROJECT: LYLE (WA) SIDING IMPROVEMENTS

APPLICANT: BNSF RAILWAY CO.

WATERWAY: COLUMBIA RIVER

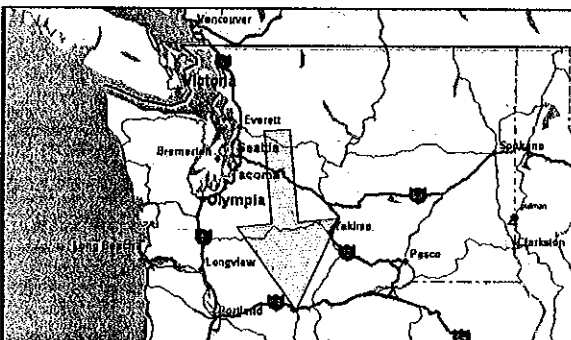
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SHEET 7 of 9

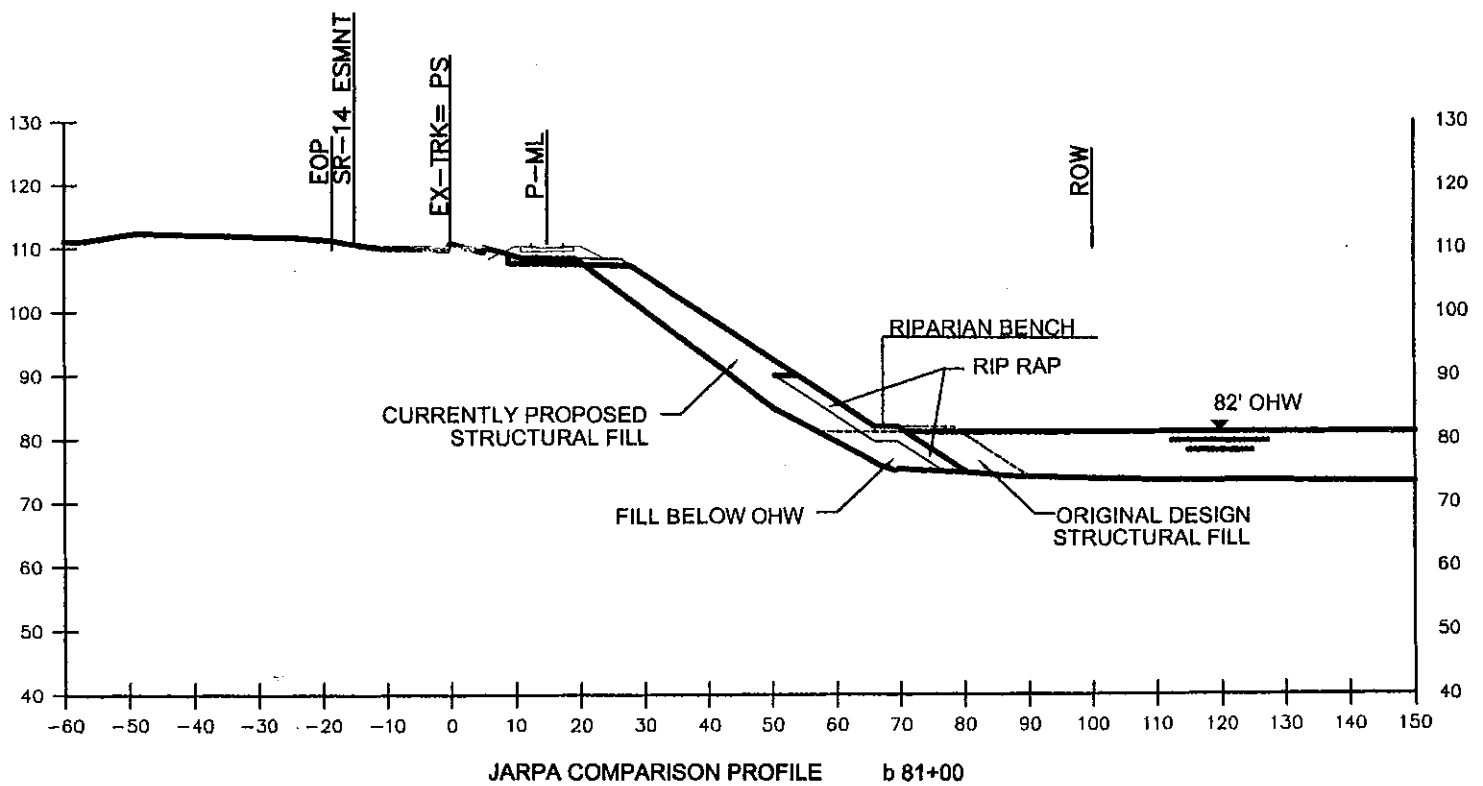


Notes: This is an amended application for jurisdictional fills for an interstate Mainline Railroad siding capacity expansion along the banks of the Columbia River (Bonneville Pool) east of Lyle, Klickitat County, Washington.

Since the original 1998 public notice, BNSF has reduced the potential impacts of the project by shifting the entire east end siding activity to the north side of the existing track, between the rail line and the highway and parking area of Doug's Beach park. At the west half of the project, all work will occur within the existing historic railroad fills. Thus, all of the siding expansion will occur in areas that have been already historically altered or filled or covered by rock and asphalt.

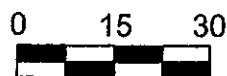
These design changes also eliminated the need for filling riparian wetlands within the project area. Jurisdictional fills in the river have been adjusted by design and the use of localized low profile walls to result in a strip fill that remains entirely within the BNSF historic right-of-way. This will allow for an increased level of restoration of shoreline riparian edge from the original proposal. The existing condition is barren rock and fills related to the original construction of the railroad approximately 100 years ago.

These plan adjustments reduce potential adverse impacts to environmental and aesthetic/visual resources from the original submittal. Riparian edge habitat will be restored and/or enhanced from the existing barren condition.



EXISTING CONDITIONS & PROPOSED WORK TYPICAL RESTORATION PROFILE

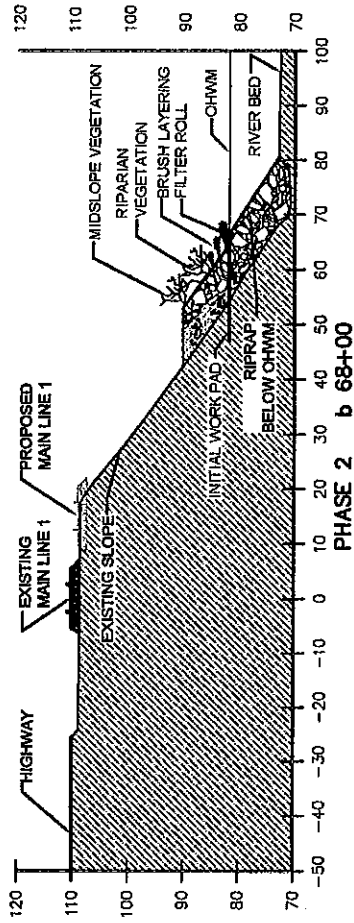
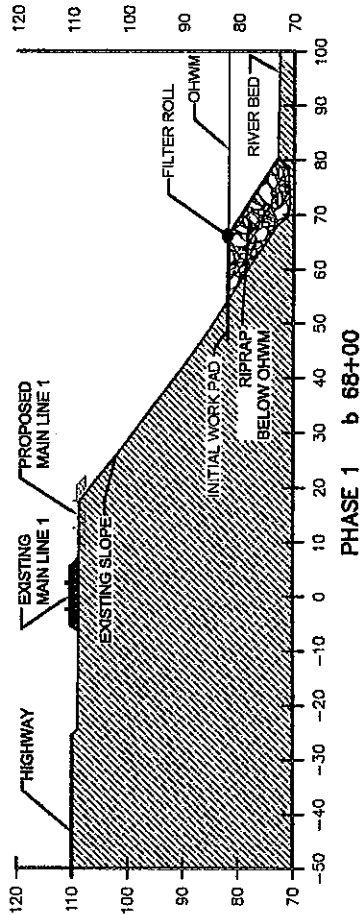
EOP = END OF PAVEMENT
EXML = EXISTING MAINLINE
P-ML = PROPOSED MAINLINE
EX-TRK= PS = EXISTING TRACK
POINT OF SWITCH



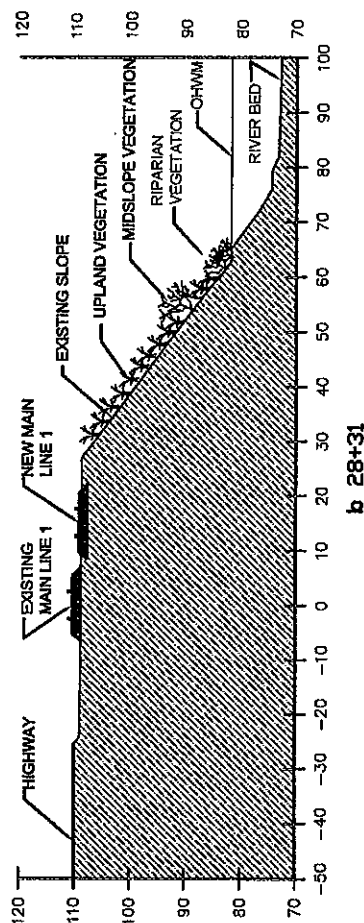
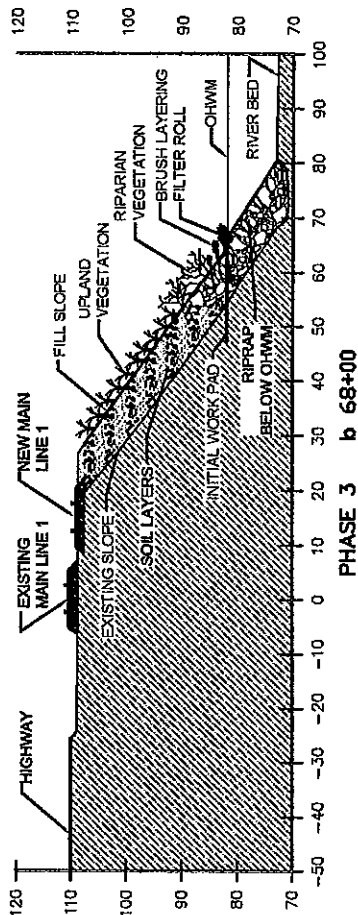
1" = 30'

USACE REF. NO.: 98-2-00519
PROJECT: LYLE (WA) SIDING IMPROVEMENTS
APPLICANT: BNSF RAILWAY CO.
WATERWAY: COLUMBIA RIVER
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SEC 7, T 2 N, R 13 E, WILLAMETTE MERIDIAN.
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SHEET 8 of 9

PROPOSED BENCHED CONSTRUCTION PHASING

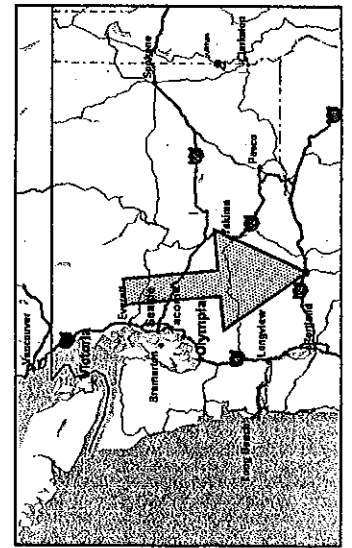


NON BENCH SECTION



BASE MAP FROM HDR, INC. LYLE SIDING TRACK PLANS 2005

SCALE: 1" = 35'



RIPARIAN RESTORATION PLAN

USACE REF. NO.: 98-2-00519
 PROJECT: LYLE SIDING IMPROVEMENTS
 APPLICANT: BNSF RAILWAY CO.
 WATERWAY: COLUMBIA RIVER
 LEGAL: IN PORTIONS OF SEC 1, SEC 2, SEC 12, T 2 N, R 12 E, &
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 COUNTY: KLIKITAT STATE: WASHINGTON
 LAT/LONG: APPROX. N45° 41' W 121° 14'
 DATE: AUGUST 2005
 SHEET 9 of 9



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification

Date: September 13, 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 199800519 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600